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May 29, 2009

The Honorable Donovan W. Frank
United States District Court
724 Federal Building
316 North Robert Street
St. Paul, MN 55101

RE: State of Minnesota, by Michael Campion, its Commissioner of Public Safety and Robert J Bergstrom, Craig A. Zenobian, Shane M. Steffensen, Christopher D. Jacobsen v. CMI of Kentucky, Inc.
U.S.D.C. File No. 0:08-cv-00603-DWF-AJB

Dear Judge Frank:

I am writing regarding the pending Cross-Motions of the State and CMI for Partial Summary Judgement in this case, which is set for oral arguments before Your Honor on June 4, 2009.

Unfortunately, I began a Jury trial on a Felony 24 year old murder cold case on May 18, 2009 in Fillmore County before the Honorable Robert Benson (*State v. Nissalke*, Winona County Court File No.: 85-CR-08-1884, which is currently venued in Fillmore County). I will be in this trial June 4, 2009, which is expected to last through the month of June, 2009.

I will be arguing on behalf of the Plaintiffs-Intervenor's position on the Cross-Motions currently scheduled for June 4, 2009. I made a request of the Honorable Robert Benson to allow a recess during the Fillmore County trial to allow my attendance to argue the Cross-Motions currently set before Your Honor on June 4, 2009. In response to my request of Judge Benson, he instructed me to request a continuance of the hearing set for June 4, 2009. In accordance with Judge Benson's directive, I now respectfully request that oral arguments on the pending Cross-Summary Judgement Motions be continued to a date after the completion of the murder trial.

I apologize for any inconvenience this may cause, and sincerely appreciate Your Honor's indulgence

Sincerely,

CHARLES A. RAMSAY & ASSOCIATES, P.L.L.C.

S/Charles A. Ramsay

Charles A. Ramsay, Attorney ID #260277
Attorney at Law

cc: Counsel of Record in accordance with ECF